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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/691,275

10/22/2003

Deborah A. Green

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07/09/2008

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EXAMINER

SAADAT, CAMERON

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

07/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,275

Applicant(s)

GREEN ET AL.

Examiner

CAMERON SAADAT

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 24-46 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

In response to amendment filed 2/29/2008, newly added claims 24-46 are pending in this application. Claims 1-23 are cancelled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 24, 38, and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Ringland et al. (US 5,751,829; hereinafter Ringland).

Regarding claims 24, 38, and 39, Ringland discloses a computerized interior design system and method including a memory that stores data defining images of a plurality of window treatment design components (see Col. 18, lines 42-44) and a digital photograph of a wall and a window within the wall (See Col. 17, line 61 – Col. 18, line 6); logic configured to receive an input from a user, selecting a window treatment design component (See Search Screen depicted in Fig. 9, window treatments product category 906); based on the input a rendering engine superimposes the window treatment design on the digital image of the wall and window (See Col.18, lines 11-23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3714

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 25-37 and 40-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ringland in view of Masters (US 6,572,377).

Regarding claims 25-26 and 28, Ringland discloses the claimed feature of scaling in order to provide a room image that shows selected materials installed with correct perspective. See Col. 18, lines 7-9, 16-18. Ringland does not explicitly disclose the claimed feature of receiving an input indicating a value for a distance from a first location to a second location. However, Masters teaches a computerized interior design system that allows a user to input dimensions of a room and elements such as windows. See Col. 4, line 64 - Col. 5, line 4. Thus, in view of Masters, it would have been obvious to one of ordinary skill in the art to modify the interior design system described in Ringland by allowing a user to input distances in order to provide a realistic perspective of room images and decorative materials that are being considered by a designer for installation in the room.

Regarding claims 27 and 33-35, Ringland discloses a cost calculation feature that calculates the number of rolls of wallpaper needed and the associated cost based on a user

Art Unit: 3714

input of dimensions of a room (See Col. 19, lines 29-33). Ringland does not explicitly disclose that the concept of cost calculation with window treatments. However, it is the examiner's position that it would have been obvious to one of ordinary skill in that art to modify the cost calculation feature described in Ringland by applying it to any decorative material, such as window treatments, in order to determine whether or not a particular home improvement will fit in a user's budget.

Regarding claims 29 and 31, the combination of Ringland and Masters does not explicitly disclose a text field for entering a value for a distance. However, the examiner takes official notice that text fields are an old and well known type of user interface for allowing a user to input information. Therefore, it would have been obvious to one of ordinary skill in the art to modify the interface described in Ringland and Masters for entering dimensions, by providing a text field in order to allow a user to input dimensions by typing alphanumeric characters.

Regarding claims 30 and 32, the combination of Ringland and Masters does not explicitly disclose an arrow extending from a first object to a second object. However, the examiner takes official notice that it is old and well known to use arrows between two objects in order to specify a distance between the two objects. Therefore, it would have been obvious to an artisan to modify the graphical references described in Ringland and Masters, by providing an arrow between two objects in order to specify a specific distance between the objects.

Regarding claims 36-37, Ringland discloses a cost calculation feature that calculates the number of rolls of wallpaper needed and the associated cost based on a user input of dimensions of a room (See Col. 19, lines 29-33). Ringland does not explicitly

Art Unit: 3714

disclose that the concept of cost calculation based on the amount of fabric needed for a window treatment. However, it is the examiner's position that it would have been obvious to one of ordinary skill in that art to modify the cost calculation feature described in Ringland by applying it to any decorative material, such as window treatments, in order to determine whether or not a particular home improvement will fit in a user's budget.

Claims 40-46 are rejected on the same grounds described in the rejection of claims 24-37.

Response to Arguments

Applicant's arguments with respect to claims 24-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

Art Unit: 3714

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAMERON SAADAT whose telephone number is (571)272-4443. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cameron Saadat/
Primary Examiner, Art Unit 3714
7/6/2008